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ORDER SHEET

WPO No.1577 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SUNANDA RAICHOWDHURY & ANR.
VERSUS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:27th September, 2023.

Appearance:

Mr. Shakti Nath Mukherjee, Sr.Adv.
Mr. Ashok Kumar Banerjee, Sr.Adv.
Mr. Subrata Kumar Basu, Adv.
Mr. Alak Kumar Ghosh, Adv.
Mr. Supratim Dhar, Adv.
Mr. D. N. Mitra, Adv.
Ms. Saswati Chatterjee, Adv.
... for Petitioners.

Mr. Debjit Mukherjee, Adv.
Mrs. Susmita Chatterjee, Adv.
... for K.M.C.

The Court:- The matter relates to the construction at premises No.27, Banomali Naskar Road, Ward No.131, Borough-XIV under jurisdiction of the Kolkata Municipal Corporation.

The case of the petitioners is that construction is being made in accordance with the plan sanctioned but few persons claiming themselves to be the officials of the Kolkata Municipal Corporation are disturbing the petitioners in carrying on with the work of construction.

Representation was filed before the Mayor, Kolkata Municipal Corporation but the same is alleged to be kept pending.

Learned advocate appearing on behalf of the Corporation submits, upon instruction that, building plan was sanctioned for construction of G + XI storied residential building and the department, as of now, has not issued any notice stopping the work of construction.

It appears from the submissions made on behalf of both the parties that the Corporation is not taking any steps to stop the work of construction.

It will be open for the petitioners to continue with the construction work strictly in accordance with the plan sanctioned by the Corporation.

It will be open for the Corporation to make regular visit to inspect whether the construction work is going on in accordance with the plan sanctioned or not.

In the event any deviation is found at the time of making construction, steps may be taken in accordance with law to deal with the same.

Since the writ petition is being disposed of without calling for any affidavit, the allegations made therein are deemed not to have been admitted by the respondents.

Writ petition stands disposed of.

Affidavit of service filed in Court today is taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)

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